

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 05-CR-50009-FL

JAJUAN MONDRESSE FORDHAM,

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

Defendant.

ORDER DENYING MOTION FOR BOND

This matter came before the Court for hearing on September 19, 2005, on the defendant's Motion To Review Detention Order, filed on September 8, 2005.

The defendant appeared before this Court for his arraignment on March 21, 2005, based upon an Indictment charging him with Possession With Intent To Distribute Five Grams Of Cocaine Or More, in violation of 21 U.S.C. § 841(a)(1). The Defendant voluntarily consented to detention at that time. He was subsequently ordered detained, and an Order of Detention Pending Trial was entered on March 22, 2005.

The defendant has requested that the order of detention be vacated and that he be released on bond. The reasons cited by the defendant in support of his motion are that at the time of the initial appearance before this Court he was being held on a state warrant alleging a violation of his probation. The defendant further indicates that at this time the probation violation charge has been dismissed.

The government is opposed to the request for bond in this matter. The attorney for the government states that despite the dismissal of the state court probation violation offense, the totality of the defendant's criminal record should be taken in to consideration in this matter. The government indicates that the defendant has a substantial prior criminal record. He also has demonstrated a history of failure to comply with prior court orders.

The Court agrees with the government in this matter. The defendant has an extensive criminal record dating back to 1991. It further appears that the defendant violated the terms of his state court probation in a number of these cases. The information presented at the hearing also indicates that the defendant has admitted to the using cocaine from 1995 until 2004. He also has admitted to the use of marijuana from 1991 until 2002. The instant offense also appears to have occurred while the defendant was under the supervision of the Michigan Department of Corrections. Based upon the defendant's extensive criminal record, his failure to follow court orders, and his admission to using illegal substances, I find that the defendant poses a danger to the community as well as a risk of flight in this matter.

Accordingly, the defendant's motion for bond is hereby **DENIED**. The Order of Detention previously entered in this matter shall remain in effect.

The defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: September 21, 2005

s/Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: James C. Mitchell, AUSA, Kenneth R. Sasse, Federal Defender Office, and I hereby certify that I have hand delivered/ mailed by United States Postal Service the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, MI 48502, Pretrial Services Officer, 600 Church St., Flint, MI 48502

s/James P. Peltier
James P. Peltier
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